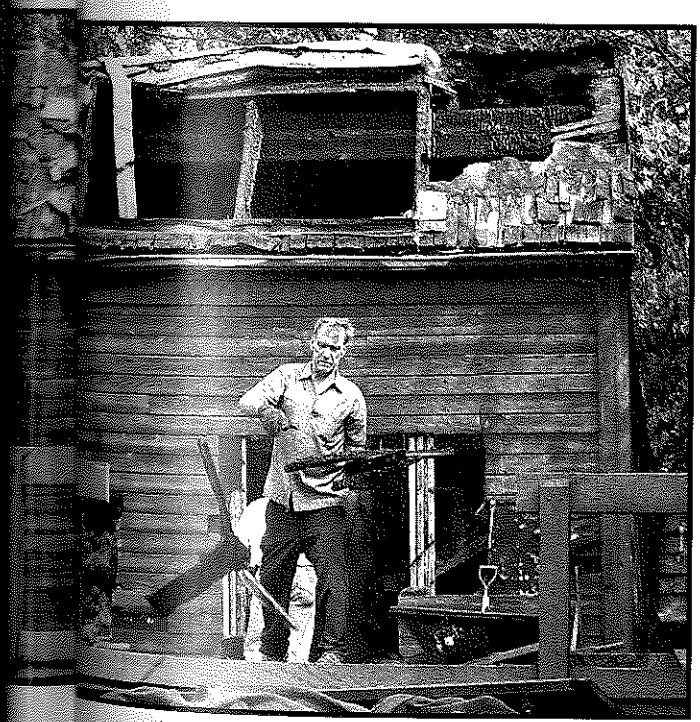
Marty McNamee's wild ride

Six hours after leaving his well-known campus bar, McNamee was found lying by Powell Road, bound and bloody. His tale involves kidnapping, threats, robbery, fire and death. McNamee dismisses skeptics and says he knows vindication will come.

By Erik Battenberg

Opposite: Flames enveloped and destroyed Marty McNamee's Westerville house in August. Investigators later blamed arson for the blaze.



PAUL VERNON/COURTESY SNP

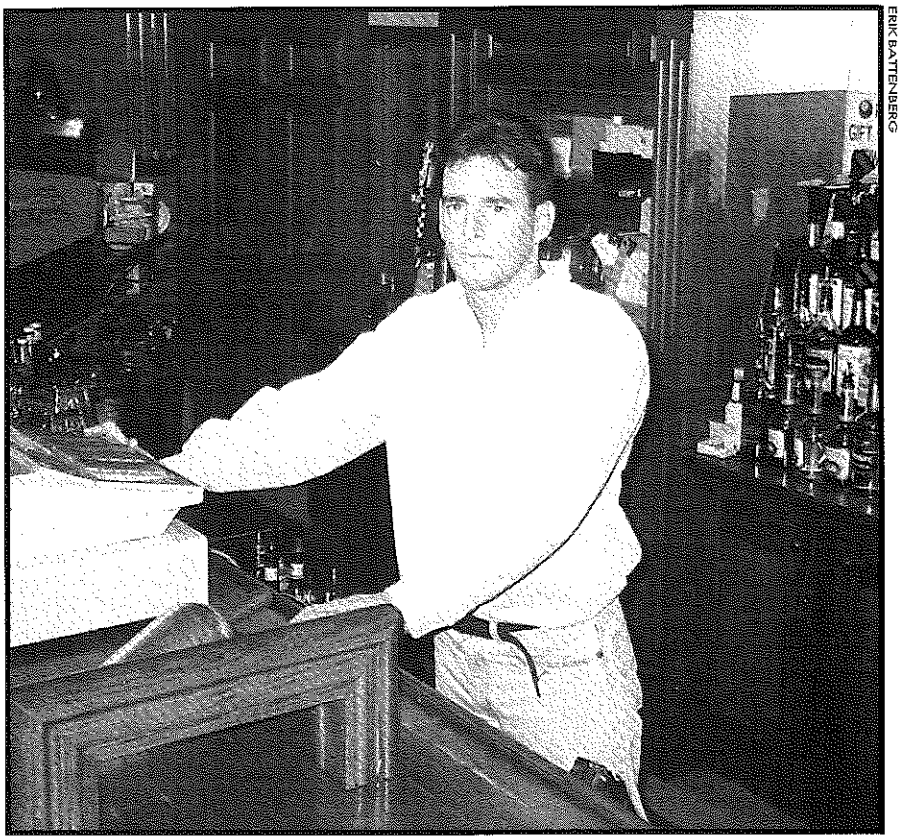
A Campbell Builders Construction worker sifts through the ruins.

Marty McNamee knows there are people, lots of people, who say his tale of what happened to him last Aug. 18 is too crazy, too bizarre, too twisted to be true. McNamee knows there are cops, too—experienced detectives—who doubt his version of the events that wound up with his house burned to the ground, a homeless man dead inside the ruins and McNamee, bound and bleeding, lying beside Powell Road in Delaware County.

But Marty McNamee, owner of the Out-R-Inn bar in the campus area and Pockets Sports Bar & Grill on Kenny Road, says it doesn't bother him much what anyone says about him. *He* knows his story is true, and he's sticking to it. "I realize that these are just ignorant people," he says of those who doubt him. "All they're doing is speculating on something they don't know about when they make statements like that. I know what

happened. It kind of hurts a little bit, but I also laugh a little bit at these people. It's kind of like people talking about the O.J. thing like they know exactly what they're talking about."

McNamee says he looks forward to the day his story is proven to be true. He talks about "my day of redemption when they finally catch Karl," the at-large, as-yet-unidentified man McNamee says kidnapped and robbed him, then tied him to a tree. "They'll catch him," McNamee says. "I don't know exactly how. One of his friends will get caught doing something and say, 'Remember that Karl guy last year or two years ago? I know who he is.' One of these days we'll come face to face." But, McNamee adds, "Even if they catch the guy, some people aren't going to be convinced, which, I don't care. There's nothing I can do about it."



ERIK BATTENBERG

Marty McNamee at Pockets Sports Bar & Grill, one of two bars he owns.

Here is McNamee's own account, as told to police and to *Columbus Monthly*, of the events in the early hours of Friday, Aug. 18:

It started when McNamee encountered Monroe Leggett just after midnight in the parking lot of the United Dairy Farmers adjacent to the Out-R-Inn. Leggett, a homeless man who hung out in the campus area, asked for $5 and a ride, two things McNamee had provided him on several occasions in the past.

McNamee told Leggett he'd give him a ride after taking care of a couple things at the Out-R-Inn. Around 12:30 am, the two got into a Jeep Cherokee McNamee had borrowed from a friend and started down High Street. A few blocks down the road, Leggett asked McNamee to pull over so Leggett could relieve himself in an alley, McNamee says. Leggett got out of the Jeep, then came back a few minutes later with another man.

"Another guy gets in," McNamee says, "and he's got a gun." McNamee told police he usually carries a gun himself, but didn't have one with him that night. The other man, whom McNamee says Leggett referred to as "Karl," told McNamee to fork over his cash. McNamee gave Karl the money he had, a few hundred dollars, and Karl ordered McNamee to drive to his house, in Westerville's Lakeside Forest. It is a gated subdivision that normally requires drivers to punch in a security code to get past the gate.

When McNamee pulled the Jeep into his driveway, Karl ordered him, at gunpoint, to go inside the house. There, McNamee told police, Karl and Leggett tied McNamee up on a couch and told him they wanted more money. When McNamee said he didn't have any money at the house, Karl went out to the carport and fetched a five-gallon can of gasoline McNamee told police he kept to fuel his motorcycle. Karl poured some gas on McNamee and said he would light him on fire if he didn't produce more money.

"That scared me, believe me," McNamee says. "As soon as they got the gas out, I showed them where the rest of the money was." The two men untied McNamee and he led them upstairs, where he had about $5,000 stashed under his hot tub.

The plan then was for Karl and Leggett to go back and rob the Out-R-Inn, McNamee says. Karl demanded he give them the bar's security codes to get past the alarm and the combination to the safe. "I didn't even know the safe combination at the Out-R-Inn," McNamee says. "To this day I don't know the combination. I don't get in the safe down there, so I don't have to know it." He made up a combination, though, to appease his assailants.

Karl then ordered McNamee to get back into the Jeep, leaving Leggett behind. "He didn't want my girlfriend to come home and find me tied up in the house," McNamee says. "They didn't want my roommate to come home either, which I didn't have a roommate, but they didn't know that. They didn't know what was going to happen or who was going to come home, so they wanted to keep me on ice for a few hours so they could rob the Out-R-Inn."

Karl ordered McNamee to drive to a field off Powell Road near I-71, about four miles away. It was about 3:30 am by that time. "He told me where to go," McNamee says. "I'd never been up in that area before." The trip to the field was more frightening than the gasoline incident, McNamee says. "I didn't know what was going to happen. I didn't know if I was going to be killed or what at that point. I thought he was going to shoot me."

Karl told McNamee to park the Jeep on the side of the road and march through the field into a wooded area. Using extension cords and heavy twine, Karl tied Mc-

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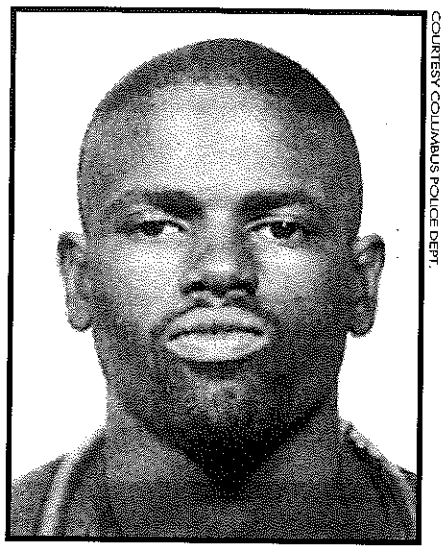
COLUMBUS POLICE DEPT. SKETCH



COURTESY COLUMBUS POLICE DEPT.

Police received numerous calls after they released this sketch of "Karl," who McNamee says kidnapped and robbed him before tying him to a tree, but none of the tips panned out. At right is a police mug shot of Monroe Leggett, Karl's alleged accomplice whose body was found in the ruins of McNamee's house.

Namee's feet together, tied his hands behind his back, tied him to a tree, tied some twine through his mouth and around his head and drove off in the Jeep. "He told me that if he had any trouble, couldn't get the money at the Out-R-Inn, then he'd come back and kill me," McNamee says.

McNamee slowly worked himself free from the tree. "I chewed through the rope around my head and into my mouth," he says. "The one that I was tied to the tree with, I chewed through the cord in a couple places and finally got free."

While McNamee was tied to the tree, his house went up in flames. The fire started around 4 am, according to neighbors who were awakened by explosions inside the house. By the time firefighters arrived, the house was completely engulfed in flames, says Inspector Jim Tharp of the Westerville fire department. "They went into a defensive mode right then," trying to prevent the fire from spreading, Tharp says. The Jeep was found in the driveway. (The Out-R-Inn was not robbed.) McNamee told police the security gate at the subdivision's entrance was left open that night, which neighbors say happens only occasionally.

Though McNamee had freed himself from the tree, his feet were still tied together and his hands were still tied behind his back, making it difficult to go anywhere. It took him a couple of hours to hop and roll a couple hundred yards back to the road. All the while, he was repeatedly bitten by mosquitoes, and couldn't do anything about it.

"I probably swallowed 50 mosquitoes that night," McNamee says. "They were on me the whole time. It was dark for a lot of it, but I could still see some of them on me. When it got light it was much worse. Every time I would look down I would see at least 50 mosquitoes on me at any given time. I would roll over a little bit to try to crush them but it was pretty useless. For one thing it hurt like hell to roll over, the way my hands were tied. The mosquitoes were the worst part about it; it was like torture."

Just before 7 am, McNamee finally made it to Powell Road, his hands and feet still bound. He had to roll over a fence next to the road, and was unable to get back on his feet. He rolled up to the road and waited for a driver to stop and offer help.

The first driver to pass saw McNamee but didn't stop, instead calling police when he got to work. The next driver cautiously pulled over. "The guy stopped and saw me tied up," McNamee says. "I'm sure I looked like hell. You know, I was dirty, I was bleeding, I had mud all over me. I was tied up and laying on the side of the road. My hands and feet were still both tied. I couldn't even stand up at that point. At first he was afraid to stop. He rolled down his window and said he would go call the police."

The driver, whom Westerville police have interviewed but won't identify, drove to a nearby residence and knocked on the door to call the police. When nobody answered, he drove back to McNamee and cut him free with some wire-cutters he had in his vehicle. He still was afraid to give McNamee a ride, though, and told him to wait while he went for help.

That was just fine with McNamee, who realized his nightmare was finally over. "Believe me, I was just happy to have my hands free," he says. "I was still being eaten by mosquitoes and horseflies."

McNamee started walking along the road. Two women drove by on their way to work. Thinking he had been in an accident, they stopped, picked him up and took him to the nearest hospital, St. Ann's in Westerville, where he was treated for minor cuts and insect bites. "I had bites on my face, my arms, my shoulders, my back," McNamee says. "Thousands of mosquito bites. A lot of my body was swollen. It took a couple weeks to go away. My face scabbed over three or four times."

He also had rope burns on the corners of his mouth and on his wrists from being tied up. "My hand was doubled in size at least, all swollen up, when I finally got the ropes off," he says. "My thumb is still numb from it."

Westerville and Columbus police interviewed McNamee, who was still shaken up, at the hospital, getting his basic story but not going into great detail at that point. It wasn't until just before he left the hospital, around 11 am, that McNamee was told his house had burned down. "I spent three or four hours at the hospital with the police and they didn't tell me," he says. "It wasn't until my dad came in to take me home. I told him I wanted to go home and get a shower and get some of my own clothes on—all I had on was hospital scrubs. That's when he told me I didn't have a house to go home to."

The fire destroyed everything in the house. "I couldn't even salvage a toothbrush," McNamee says. "I didn't even have a pair of underwear the first day. I remember walking into Lazarus barefoot and buying a pair of shoes."

Absent from the house when it burned was McNamee's dog, a cockapoo named "Pockets" after McNamee's bar. Pockets was off visiting; he'd fathered a puppy with the dog of one of McNamee's friends, and stayed at the friend's house about half the time, McNamee says. McNamee, who works late hours, has since given Pockets to the friend. "It's a lot more stable lifestyle for him."

Eleven days after the fire, after neighbors complained of a stench, police found Leggett's heavily charred body in the remains of McNamee's house."

Police in Columbus and Guernsey County say they have no idea what happened. They don't know why Gil was in Guernsey County, why he was dressed like a ninja or why he had the gun or the burglary tools."

While McNamee started piecing his life back together, Columbus and Westerville police started investigating. Suspicious of his story, they read McNamee his rights and interviewed him again, and again. McNamee identified Monroe Leggett, who had previous drug and theft convictions, from a 1992 mug shot. He also helped police make a sketch of Karl, described as black, about 28 years old, 5-8 to 5-10 and 200 pounds. Police began looking for both men.

Eleven days after the fire, after neighbors complained of a stench, police found Leggett's heavily charred body in the remains of McNamee's house. "To this day, I don't know how it takes 11 days to find a body in the house," McNamee says. "The police were in there, the fire department was in there. I remember the first time I went back out there to meet the insurance company and there was probably 20 people in my house. They wouldn't let *me* in the house. I had to wait outside."

McNamee's night of terror came 11 months after the murder of Bob Gil, his partner in Pockets and the Out-R-Inn. Gil's murder, which remains unsolved, is another bizarre case. According to Columbus police, McNamee last saw Gil when Gil left Pockets late on Sept. 25, 1994. From there, Gil went to the Meijer store on Cleveland Avenue and purchased a number of what police call "burglary tools," including a hacksaw, bolt cutters, pliers, rope and a flashlight. The Meijer clerk is the last known person to see Gil alive.

Six days later, a resident of Guernsey County, about 75 miles east of Columbus, found Gil's body lying in a pasture. Police say he was killed the night he disappeared. He had been shot once in the face, about an inch from his right eye. Gil was wearing a black ski mask, black sweater, black pants and brown gloves. He was also wearing a black backpack that had the burglary tools and gun shells inside, and was carrying a loaded 9mm handgun, which had not been fired recently and was not the gun used in the slaying. There were no signs of struggle.

Police in Columbus and Guernsey County say they have no idea what happened. They don't know why Gil was in Guernsey County, why he was dressed like a ninja or why he had the gun or the burglary tools (there were no break-ins reported in the area). They also say they don't have any suspects in the slaying, nor any leads or clues.

The investigation is still open, but, "Right now, there's not much going on," says Capt. Arnold Van Horn of the Guernsey County Sheriff's Office. "It's kind of at a standstill. We've chased every lead that we could come up with."

"The homicide's open from now on, even if I retire, which may well be fairly quickly because I've got 34 years in," Van Horn says. "The farther away from a homicide, you get less and less leads, but there is an occasional one. When they come in we follow them up the best we can. But there's been nothing here recently."

McNamee says he doesn't know why Gil was in Guernsey County or why he was dressed in black or anything else about the slaying. Gil's father, Manuel Gil, who lives in Cincinnati, is also puzzled. "He must have been brought out there by someone he trusted," Gil says of his son. "The police, I suppose, are doing everything they can to find out what happened, and we have to leave it up to them, I guess."

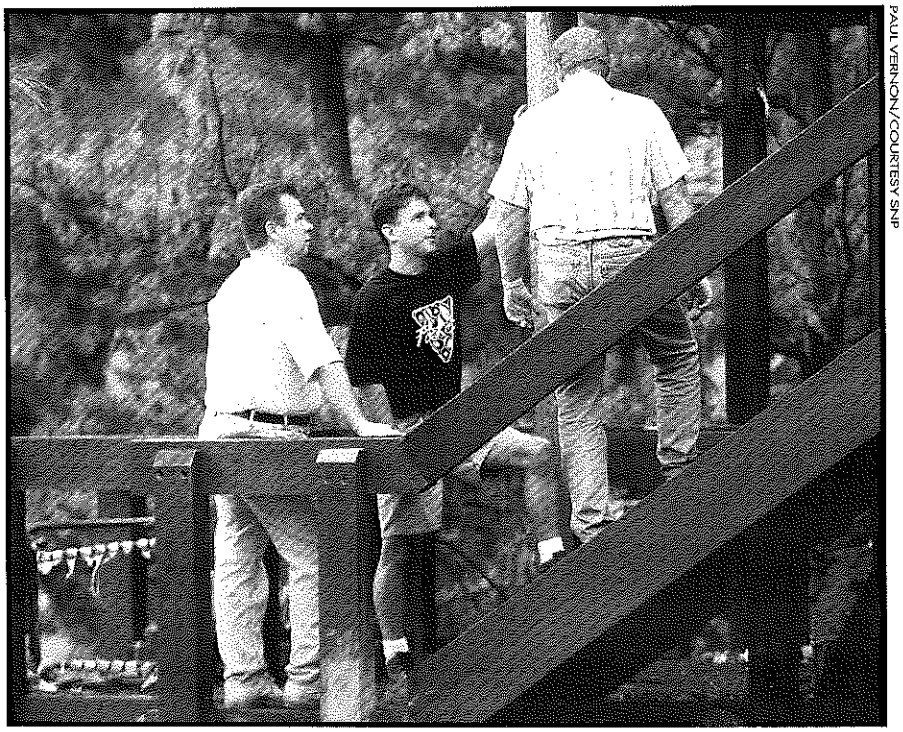
Bob Gil, who was 37 when he died, grew up in Cincinnati. After a year at the University of Cincinnati, he moved to Columbus in the early '80s to attend Ohio State. He never graduated from OSU, going into the bar business instead. The Out-R-Inn was Gil's first bar. It was losing money when he leased it from owner Frank Corrova, but Gil turned it around and made it one of the most popular bars on campus.

Wanting to expand into the restaurant business, Gil bought the Lone Star Steaks (not affiliated with the Lone Star Steakhouse chain) on Kenny Road in 1992. The restaurant lost money the first couple months after Gil bought it, so he converted it to Pockets, a sports bar with several pool tables, numerous big-screen TVs, video games, air hockey tables and other games. It was also at this time he brought on McNamee as a partner.

McNamee, 29, was born in Columbus and moved to West Virginia as a child when his parents divorced. He went to West Virginia University, graduating with a degree in finance in 1990. After college, he moved to Columbus, where his father lives.

"I met Bob Gil playing softball and just started hanging out with him, spending time with him," McNamee says. "He approached me with a couple of deals and we went from there."

Using money he had saved and bor-



PAUL VERNON/COURTESY SNP

McNamee, center, talks with Westerville detectives at the charred remains of his house. At left is Det. George Abbott, the lead investigator.

ERIK BATTENBERG

Westerville Det. George Abbott at the now-vacant lot where McNamee's house once stood, in the gated Lakeside Forest subdivision in Westerville.

rowed, McNamee bought into both the Out-R-Inn and Pockets, he says, sharing ownership with Gil on each of them. The two businesses were, and continue to be, very successful, McNamee says: "Both bars are generating a lot of money. You've got to like that."

When Gil was killed, McNamee received $300,000 from a life insurance policy (Gil held an equal policy for McNamee's life), and Gil's father inherited Gil's half of the businesses, Manuel Gil says. After nine months of negotiations, McNamee bought out Manuel Gil's share for about $700,000, McNamee says, completing the deal just weeks before McNamee was abducted and robbed.

McNamee had another, unrelated deal all but done at the time, a deal to open a sports bar with Indy driver Bobby Rahal in the Worly Building in the Brewery District. The plan was for McNamee and Rahal to open several bars eventually, McNamee says. "It would have put me into the big time."

"When everything happened, that deal died right then," McNamee says. "The deal had been finalized that morning without everyone knowing what had happened, then it got canceled."

The publicity surrounding McNamee gave cold feet to Arshot Investment Corp., which owns the Worly Building. "There's been a lot of trouble associated with his name," Arshot's Tom Schottenstein said in September, "and we don't want to be associated with that."

Months after the night of fire and death, police continue to work, with Westerville police taking the lead. "At this point we're investigating a reported abduction and robbery," says Westerville Det. George Abbott, the lead investigator on the case. "We're trying to corroborate what Marty reported."

Abbott says he's working to find Karl and find more evidence about the crimes. He also says he's investigating McNamee and investigating the many rumors he's heard about him. "We're exploring all possibilities, all areas, everything," he says.

According to Abbott, police have found witnesses who saw McNamee and Leggett talking in the United Dairy Farmers parking lot shortly before the two left the Out-R-Inn. And they have talked to the drivers who passed, cut ropes off and picked up McNamee on Powell Road the next morning. They also found twine and cords on the ground near the tree McNamee says he was tied to.

But that's about it. The fire at McNamee's house was so extensive that police couldn't find any fingerprints, Abbott says. The only fingerprints found in the Jeep belonged to McNamee, who told police Karl was wearing gloves. And Leggett's remains were so heavily charred that autopsy tests have been inconclusive. Examiners were unable to determine whether Leggett was alive when the fire broke out. Police found a kitchen knife with blood on it near Leggett's body, but DNA tests on it also were inconclusive. There were no obvious bullet holes in Leggett's body, but that doesn't necessarily mean he wasn't shot, Abbott says. "There really wasn't enough left to work with."

McNamee told police he had three guns in the house, but only two have been found. Police divers searched the lake next to McNamee's house for any clues, including the missing gun, and came back empty-handed.

Fire inspectors ruled the blaze was caused by arson, says Westerville Inspector Jim Tharp. "Lab results showed an accelerant in some areas," Tharp says. Because the fire is still under investigation, he would not say what type of accelerant was used or in how many areas.

Police have talked to McNamee's neighbors, associates and friends. They've talked to people who knew Leggett. They've talked to anyone and everyone they can find who might know something. "There isn't anybody we *haven't* talked to," Abbott says.

So far, police haven't been able to find anyone who says he knew Karl, or has seen Karl. When police released the sketch of Karl, they got a lot of phone calls, with dead-end leads. Two callers who knew someone they thought could be Karl independently gave the same name, but McNamee failed to pick the suspect's photo out of a lineup, Abbott says.

"We're still investigating this full steam ahead," Abbott says. He's got a 6-inch pile of notes, interviews, pictures and other evidence. "We're still getting leads on a weekly basis."

Westerville police aren't the only people investigating McNamee. Columbus police also are chasing down leads, and the National Insurance Crime Bureau is looking into the incident on behalf of McNamee's insurance company, State Farm, says Terri Leist, spokeswoman for the Ohio Department of Insurance.

The department's fraud division also has investigated McNamee. Dan Arledge, fraud division chief, said in October that his division was looking at McNamee because he has filed numerous insurance claims over the last few years. "His name, and some of his cohorts, just kept popping up," Arledge said. "We're trying to see if there's some pattern."

Arledge has refused to comment since, referring calls to Leist instead. Leist says the department concluded its preliminary investigation and now is waiting for the other agencies to finish their investigations. "If what they find warrants us to do anything, we will take action at that time," she says.

McNamee also is being investigated

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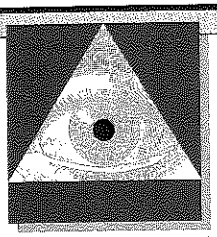

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by the law firm Graff and Associates, hired by Leggett's family to lay groundwork for a possible wrongful death suit. "We represent the estate of the deceased if an action would be possible in the future," says Karen Sewalk, a Graff attorney.

Leggett's father, the Rev. Aljunis Leggett, declined to be interviewed for this story. "The family has been very distraught over this," Sewalk says. "They haven't been given much hope. There's just nothing out there."

Meanwhile, things are slowly getting back to normal for McNamee. After staying in hotels and with friends for a while, he moved into an apartment off Bethel Road. He'll eventually rebuild his Westerville house, but probably will sell it rather than move back, he says. He'll lose money on the deal, he says; the insurance money won't cover the cost of rebuilding.

With the Bobby Rahal deal dead, McNamee plans to open another bar on his own, and now is scouting locations just outside Westerville. "It will be like Pockets but maybe a little more upscale," he says. "It would have a little bit of an older clientele up there."

He says he's glad police are still spending so much time investigating his case. He hopes they find Karl, and silence the people who say the whole thing was staged.

"I wish somebody would come along and show me what I had to gain by it," McNamee says. "I lost the Rahal deal, which was going to be a huge deal. Not only that, my house was underinsured. People think, 'Oh, yeah. He burned down his house for money.' That's ridiculous."

McNamee blames the public speculation and disbelief on the local TV channels. "The police have been very nice about it. I'm sure they're doing all they can," he says. "It's the TV news. They got ahold of it and they tried to sensationalize it. They tried to associate the Bob Gil thing and me being robbed as having something to do with each other. They were two completely different incidents. Bob was killed last year [1994] a hundred miles away doing whatever he was doing; it really never has come out. I left the bar, I was robbed. It escalated from there a little bit, but it was completely out of my control."

"What really sucks is I think eventually they'll catch the other guy. They'll catch Karl one of these days. It might be a year or two. By then it really doesn't matter. I'm sure he'll go to jail for the rest of his life or something, but two years will have gone by in my life and everybody thinks, because of the TV news, that I possibly did something wrong that night," McNamee says.

"You know, it really messed up my life." ■

Erik Battenberg is a staff writer for Columbus Monthly.